IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. NO./410 /2006

SINGLE BENCH

PETITIONER :-

(1) Mohd. Rafiq S/o Alijan, aged about 50 years, R/o village Kunkuri, Post Kunkuri, Distt. Jashpur [C.G.].

(2) Agastus Khalkho S/o Patras, aged about 47 years, R/o Adharsh Nagar, Kunkuri, P.O. Kunkuri, Distt. Jashpur [C.G.].

(3) Bilchadan Kispotta S/o Kalyan Kispotta, aged about 54 years, R/o village Godhanpur, Post Office Funduldihari, Ambikapur, District Surguja [C.G.]

(4) Komal Prasad Sidar S/o Dev Singh Sidar, aged about 52 years, R/o village Kunjemura, P.O. Saraitola, Tahsil Gharghoda, District Raigarh [C.G.].

F.P. No. 1460/06
Presented by Sangeeta Shukla
dated 21/3/06

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A. G. BILASPUR
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VERSUS

RESPONDENTS :-

(1) State of Chhattisgarh,
Through- Secretary,
Department of Panchayat and Social Welfare, D.K.S. Bhavan, Raipur [C.G.]

(2) Director,
Panchayat and Social Welfare,
D.K.S. Bhavan, Raipur [C.G.].

(3) Secretary,
Department of School Education, Government of Chhattisgarh, D.K.S. Bhavan, Raipur [C.G.].

(4) Director,
Public Instructions, Pension Bada, Raipur [C.G.].

PETITION UNDER ARTICLE 226 /227 OF CONSTITUTION OF INDIA

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HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

Single Bench: Hon'ble Shri Satish K. Agnihotri, J.

W. P. No. 1410 OF 2006

Petitioners : Mohd. Rafiq and others

Versus

Respondents : State of Chhattisgarh and others

Shri J.K. Shastri, counsel for the petitioners.

Shri A.S. Kacchuwaha, Government Advocate for the respondents.

ORAL ORDER

(28th March, 2006)

1. The petitioners have filed this petition challenging the order dated 9.9.2003 (Annexure P-1) whereby, the respondent No.3 has directed absorption of the petitioners who are working in the Department of Panchayat and Social Welfare, as Upper Division Teacher, in the Department of School Education.

2. Learned counsel for the petitioners, placed reliance on order dated 25.10.2004, passed by this Court in W.P. No. 3929/2003 and prays that similar order may be passed.

3. Learned counsel for the petitioners pointed out that out of total 51 persons, 3 have filed the W.P. No. 2205/2004 and 9 have filed W.P. No. 3929/2003. It is also pointed out that the petitioner, herein have submitted representations as per Annexure P-2 and P-3 but the same have not yet been decided.

4. Having considered the facts and circumstances of the case and material on record, in the opinion of this Court, ends of justice

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will be served if a direction is given to the petitioners to make a detailed representation raising their grievances before the competent authority of the respondents along with a copy of the petition and this order, within 10 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within six weeks from the date of receipt of the representation. It is made clear that if any grievance still remains, the petitioners may avail the remedy available under the law.

5. The petitioners are directed to be allowed to continue till the representation is decided.

6. With the aforesaid observations, this petition stands disposed of.

Certified copy as per rules.

Sd/-
Satish K. Agnihotri
Judge